

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ROGER LEE RECTOR,**  
**Plaintiff,**

**v.**

**JO ANNE B. BARNHART,**  
**COMMISSIONER OF SOCIAL SECURITY**  
**Defendant.**

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**CIVIL ACTION**

**NO. 05-CV-3660**

**ORDER**

**AND NOW**, this \_\_\_\_ day of August, 2006, upon consideration of the parties' cross-Motions for Summary Judgment (Docs. 8 & 9), and after careful review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (Doc. 12), and Plaintiff's Objections (Doc. 13), **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation dated April 27, 2006, is **APPROVED** and **ADOPTED**;
2. The Plaintiff's Motion for Summary Judgment is **DENIED**; and
3. The Defendant's Motion for Summary Judgment is **GRANTED**.

**IT IS FURTHER ORDERED** that the Clerk of the Court shall mark the above-captioned case as **CLOSED**.

**BY THE COURT:**

**/s/ Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**